

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

UMG RECORDINGS, INC., et al.,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	No. 1:17-cv-00365-DAE-AWA
	)	
GRANDE COMMUNICATIONS	)	
NETWORKS LLC,	)	
	)	
Defendant.	)	

**JOINT ADVISORY REGARDING  
THE PARTIES' OBJECTIONS TO DESIGNATIONS OF DEPOSITION TESTIMONY**

Pursuant to the Court's Order Setting Jury Selection/Trial and Related Deadlines (ECF No. 275), the parties have filed disclosures identifying testimony to be presented by means of deposition (ECF Nos. 301-5, 302-6) and objections to the opposing party's designations (ECF Nos. 303, 305-1). On February 10, 2020, Magistrate Judge Austin conducted a teleconference with the parties regarding procedures for resolving their objections, in anticipation of the February 24, 2020 trial setting. In that teleconference, Magistrate Judge Austin directed the parties to meet and confer regarding their objections, and to file an advisory by today identifying objections that will likely be impacted by resolution of the parties' motions *in limine* and any objections that have since been withdrawn or otherwise resolved.

The same day, the parties filed an Agreed Motion to Continue Trial Setting (ECF No. 332). In a hearing on February 14, 2020, Judge Ezra informed the parties that their Agreed Motion will be granted, and that trial in this matter will be rescheduled for September 8, 2020. Additionally, on February 12, 2020, Judge Ezra entered an order withdrawing the referral of pending non-dispositive motions to Magistrate Judge Austin, including the parties' motions *in*

*limine*. See Order Withdrawing Referral (ECF No. 334). In the February 14, 2020 hearing, Judge Ezra indicated that he intends to rule on motions *in limine* well in advance of the new September 8, 2020 trial setting.

The parties expect that rulings on their motions *in limine* will significantly narrow their disputes regarding the admissibility of designated deposition testimony. The parties also believe that they may be able to further narrow their disputes by withdrawing deposition designations for certain witnesses who will testify live at trial. The parties will promptly meet and confer on these subjects upon receiving orders from the Court regarding their motions *in limine*. Subject to any subsequent order from the Court, the parties will then file amended disclosures identifying those objections that still need to be resolved and/or provide proposed procedures for resolving outstanding objections during trial.

Dated: February 17, 2020

By: /s/ Andrew H. Bart (w/ consent)

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**CERTIFICATE OF SERVICE**

The undersigned certifies that on February 17, 2020, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system pursuant to Local Rule CV-5(b)(1).

/s/ Richard L. Brophy